

EXHIBIT H

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF OKLAHOMA

3 _____

4 VIDEO GAMING TECHNOLOGIES, INC.,

5 Plaintiff,

6 -vs-

Case No.
17-CV-454-GKF-JFJ

8 CASTLE HILL STUDIOS LLC d/b/a
9 CASTLE HILL GAMING

10 and

11 CASTLE HILL HOLDINGS LLC d/b/a
12 CASTLE HILL GAMING

13 and

14 IRONWORKS DEVELOPMENT LLC d/b/a
15 CASTLE HILL GAMING,

Defendants.

16
17 VIDEOTAPED DEPOSITION OF RICHARD SISSON

18 9:00 a.m. to 5:07 p.m.

19 April 17, 2018

20 Charlottesville, Virginia

21
22
23
24 Job No. 36468

25 REPORTED BY: Rhonda D. Tuck, RPR, CRR

1 requirements.

2 Q. Okay. Mr. Sprinkle's response to you
3 seems to have a different character than what you
4 just said, and maybe you can explain it to me.

5 He writes, "Sorry. Thought I copied you
6 all on that set of exchanges. I have said that we
7 want these initial titles to be reminiscent of the
8 competitive models in color. Please be sure to
9 continue and work in the direction I am suggesting.
10 Not every title will follow but these first are
11 crucial in my eyes."

12 Do you see that?

13 A. Yes.

14 Q. What did you understand Mr. Sprinkle to
15 be saying?

16 A. I see that as pushback against what I
17 said, but I don't think it is a direct response to
18 what I said.

19 Q. Okay. So you're talking about different
20 things here?

21 A. I think so.

22 Q. So what you understood Mr. Sprinkle to be
23 talking about is wanting to be as close as possible
24 to VGT's games, especially for Castle Hill's first
25 set of Class II games?

1 A. Well, what I was talking about here are
2 the physical constraints of the format of the
3 machine.

4 Q. Now you're talking about your last
5 paragraph of your email?

6 A. Right.

7 Q. Okay.

8 A. I'm trying to understand the context.

9 Q. Right.

10 A. Because I haven't seen this in three
11 years.

12 And so what I was worried about is that,
13 I think, if I remember correctly, that the things
14 that Zach was making were not taking into account
15 requirements of the machine.

16 Q. Right.

17 A. And so I sent that to Jason because Jason
18 was doing the art direction for this, for "Arctic
19 Cash," not "Arctic Ice," but "Arctic Cash."

20 Q. Right.

21 A. And since I had a more closer working
22 knowledge to what the requirements were for the
23 machine, I was expressing that.

24 Q. Right. But Mr. Sprinkle's response is on
25 a different subject, then, right?

1 A. Right.

2 Q. And what you understood him to be saying
3 is that he wanted Castle Hill's first set of Class
4 II games to be as close to VGT's games as possible,
5 correct?

6 A. Well, he doesn't say that. He says
7 "competitive models."

8 Q. Okay. Which -- at this time, who was
9 making the competitive models in Class II?

10 A. I think that's a question for Jason.

11 Q. Okay. Did you have any understanding at
12 all who your competition was in Class II at this
13 time?

14 A. Well, I don't see competition as Class II
15 or Class III. I see competition as whatever is in
16 the casinos, because I don't know that -- I don't
17 know that the players understand the difference.

18 Q. Although, aren't there certain casinos
19 where only Class II games are permitted?

20 A. That is -- I think that's the -- that's
21 up to the casino itself whether or not it wants to
22 have compacted games, at least in Oklahoma. It's a
23 prerogative.

24 Q. Did you have any understanding as to why
25 he was talking about -- why Mr. Sprinkle was focused